

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL E. MACKEY,

No. C 10-2998 WHA (PR)

Petitioner,

ORDER OF TRANSFER

vs.

K. HARRINGTON,

Respondent.

This is a habeas case brought pro se by a state prisoner to challenge denial of parole. Petitioner was convicted in Solano County Superior Court, which is in the venue of the Eastern District of California. *See* 28 U.S.C. § 84. Petitioner is incarcerated in Kern Valley State Prison, in Delano California, which also lies within the venue of the Eastern District. *Ibid.*

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, petitions challenging a conviction are preferably heard in the district of conviction. Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968). Because petitioner was convicted in Solano County, this case is **TRANSFERRED** to the United States District Court for the Eastern District of California. *See* 28 U.S.C. § 1406(a); Habeas L.R. 2254-3(b). The clerk shall terminate any pending motions from this court's docket.

IT IS SO ORDERED.

Dated: August 30, 2010.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE